

OFFICIAL GAZETTE

GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Social Welfare

Directorate of Social Welfare

Notification

68-5-96/BC/SD

In exercise of the powers conferred by sub-section (5) (6) of Section 13, read with sub-section (1) and (2) of section 23 of the Employment of Manual Scavengers and construction of Dry Latrines (Prohibition) Act, 1993 (Central Act 46 of 1993), the Government of Goa hereby makes the following rules, namely:

1. *Short title and commencement.*— (1) These rules may be called the (Goa Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition Rules) 1999.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions.*— In these rules, unless the context otherwise requires,

(a) "Act" means the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (Central Act 46 of 1993);

(b) "Committee" means the State Co-ordination Committee constituted under clause (a) of sub-section (4) of Section 13 of the Act;

(c) "Government" means the Government of Goa;

(d) "member" means a member of the committee and includes its Chairperson and the Member-Secretary;

(e) "section" means a section of the Act.

(3) *Composition of the committee.*— The Committee shall consist of the following persons, namely:—

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| (i) Minister incharge of Urban Development | ... Chairperson |
| (ii) Minister incharge of Social Welfare | ... Member |

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| (iii) Member of the Legislative Assembly nominated by the Speaker | ... Member |
| (iv) Two representatives of non-Governmental Organisations of Social Workers engaged in the upliftment and Welfare of Scheduled Castes/ /Scheduled Tribes. | ... Members |
| (v) Secretary, Public Works Department | ... Member |
| (vi) Secretary, Social Welfare Department | ... Member |
| (vii) Secretary, Urban Development | ... Member |
| (viii) Director, Municipal Administration | ... Member Secretary |

4. *Powers of the Committee.*— In the discharge of its functions under the Act, the State Co-ordination Committee shall:

(i) call for such information, report, statistical data as it may require from the District Level Committee, Municipality, the *Executive Authority* or any implementing agency and it shall be the duty of the District Level Committee, Municipality *Executive Authority* or as the case may be, the implementing Agency, to furnish such information, report and statistical data promptly;

(ii) be free to visit any notified area in which the Act is being implemented for the purpose of evaluation or monitoring of implementation of the provisions of the Act.

(iii) exercise the powers through its Member Secretary.

5. *Functions of the Committee.*— (1) It shall be the function of the Committee to monitor and review the progress of implementation of the provisions of the Act and more particularly the Schemes for:

(i) conversion of dry latrines into pour flush water seal latrines;

(ii) construction and maintenance of water seal latrines; and

(iii) the rehabilitation of parents employed for manual scavenging in other gainful occupations.

(2) Subject to the generality of sub-rule (1) it shall be the duty of the Committee, to

(i) obtain from each district level Committee constituted by the Government, a report of the progress in such form as may be specified by the Committee on the implementation of the provision of the Act, at such periodic intervals as the Committee may decide;

(ii) review the Schemes drawn up for the rehabilitation of those engaged as manual scavengers, who have been rendered jobless on the implementation of the provisions of the Act in the areas notified by the Government;

(iii) give such direction as may be deemed necessary, but subject to the guidelines framed by the Government, for the effective implementation of the provisions of the Act in the areas notified by the Government;

(iv) assess the financial assistance required for the implementation of the provision of the Act, including the financial assistance required for the rehabilitation of the liberated manual scavengers for each town or city and make recommendations to the Government on the matter in which resources are to be raised and the phasing of expenditure;

(v) monitor and ensure that the rehabilitation assistance reaches the needy and the deserving and make recommendations as to the best manner in which the liberated manual scavengers may be provided gainful employment keeping in view the employment opportunities locally available;

(vi) submit to the Government, through its Member-Secretary, a half-yearly report of its activities and recommendations, within two months of the close of the half year period from April to September and October to March, each year;

6. *Terms and conditions of appointment of members of the Committee.*— (1) The Chairperson and the other ex-officio members of the Committee shall hold office so long as they hold the respective office by virtue of which they have been appointed or nominated to the committee.

(2) The appointment of other member of the Committee shall be for a term of three years.

(3) The travelling allowance and daily allowance of member for attending meetings of the Committee and for tours in connection with the work of the Committee shall be as applicable to Ministers, in the case of Ministers appointed as members and as applicable to Members of the Legislative Assembly, in the case of the Members of the Legislative Assembly who are appointed as members.

(4) The travelling allowance and daily allowance of the Member Secretary shall be of such as is applicable to Grade I Officer as the State Government.

7. *Meetings of the Committee.*— (1) The Committee shall meet as often as may be necessary to transact its business, Provided that not more than two months shall elapse between two successive meetings.

(2) The meetings of the Committee shall ordinarily be held in the State capital on such date as fixed by the Chairperson. Provided that the Chairperson may, with the permission of the Government, call for a meeting of the Committee at the Headquarters of a District or division for reviewing or monitoring of the Scheme implemented in that District divisions;

(3) The Chairperson of the Committee shall preside at all meetings. In the absence of the Chairperson, the members present shall elect one amongst them to preside at the meeting.

8. *Notice of Meeting and list of business.*— (1) The Member-Secretary of the Committee shall draw up and circulate to the members of the Committee the agenda items and brief notes on Agenda items at least seven days before the scheduled date of the meeting.

(2) The notice of meeting shall state the place, date and time of the meeting and specify the business proposed to be transacted therein.

(3) Notice of a meeting may be given to the members by delivering the same by messenger or by sending it by registered post in his last known place or residence of business or in such manner as the Chairperson may, in circumstances of the case, think fit.

(4) No business which is not on the agenda shall be considered at the meeting without the permission of the Chairperson or in his absence, the other presiding member, as the case may be;

9. *Quorum of the meeting.*— (1) At every meeting of the Committee, one third of its members shall form a quorum.

(2) If, at any time fixed for any meeting or during the course of meeting, a quorum is not met the Chairperson of the presiding member, as the case may be, shall, after waiting for thirty minutes, adjourn the meeting for such hour on the same day or the following day at some other day as he may think fit and the notice of such adjournment shall be given to the members present as well as affixed on the Notice Board of the office of the Committee and the business which was to have been brought before the original meeting had there been a quorum, shall be brought before the adjourned meeting and may be disposed off irrespective of the quorum.

10. *Minutes of the meeting.*— (1) Immediately after each meeting of the Committee, the Member-Secretary shall draw up the minutes of the meeting and submit the same to the Chairperson or the other presiding member, as the case may be, for his approval for taking further necessary action. The minutes so approved shall be circulated to the members of the Committee for inviting comments, if any;

(a) The minutes circulated under sub-rule (1) shall be placed before the Committee for confirmation and shall be subject to such modification, if any, as the Committee may deem fit to be made therein, and the minutes so approved shall be signed by the Chairperson or in his absence, by the presiding member, as the case may be, and be entered in a book to be kept for that purpose.

By order and in the name of the Governor of Goa.

S. V. Shirodkar, Director of Social Welfare & Ex-Officio Joint Secretary (SW).

Panaji, 19th August, 1999.